

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)	
)	
TABATABAI et al.)	Examiner: SHANG, A.
)	
Serial Number: 09/865,030)	Art Unit: 2424
)	
Filing Date: May 24, 2001)	Conf. No.: 2901
)	
For: COMMAND DESCRIPTION SCHEME)	
PROVIDING FOR DYNAMIC UPDATE)	
OF INSTANCE DOCUMENTS AND)	
THEIR ASSOCIATED SCHEMA)	
)	

REPLY BRIEF

This Reply Brief is in response to the Examiner's Answer mailed April 28, 2009, which was in response to the Appeal Brief filed on January 26, 2009.

REMARKS

The Appellant is submitting the following remarks in response to the Examiner's Answer. In these remarks, the Appellant is addressing certain arguments presented in the Examiner's Answer. Although only certain arguments are addressed in this Reply Brief, this should not be construed that the Appellant agrees with the other arguments presented in the Examiner's Answer. Other arguments not addressed here are addressed in the Appeal Brief.

Referring to page 10 of the Examiner's Answer, the Examiner states "Appellant has mischaracterized the prior arts of record by making references to a few cited portions of the prior arts of record." The Examiner's Answer does not elaborate on the basis for that statement.

The Appellant has considered each of the cited references as a whole, and the Appeal Brief includes a relatively extensive discussion of those references. As a part of the arguments included in the Appeal Brief, certain portions of the references are specifically cited, either to present an understanding of what those references are believed to teach or to provide support for arguments made in the Appeal Brief. The Appellant has made a bona fide attempt to accurately present and discuss the contents of the cited references, as a whole.

Of course, not only is it important to properly characterize the content of the cited references, it is also important to properly consider what that content fails to include. As presented in the Appeal Brief in detail, Appellant respectfully asserts that the cited references fail to show or suggest the specific limitations

recited in the claims. For example, the claims recite specifically how descriptions of audio-visual content on one computer (e.g., a client) are updated from another computer (e.g., a server). Appellant maintains that the cited references do not disclose the claimed "how."

In light of the above remarks as well as the arguments presented in the Appeal Brief, Appellant respectfully asserts that the rejection of Claims 1-9, 11-25, and 27-28 should not be sustained.

Respectfully submitted,
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Dated: 6-24-2009

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